



EXECUTIVE  
DEPARTMENT

## CITY OF SOUTH PORTLAND

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South Portland, ME 04116-9422

James H. Gailey  
City Manager

RECEIVED

OCT 21 2013

September 30, 2013

Curtis Spalding, Regional Administrator  
EPA Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109

OFFICE OF THE REGIONAL ADMINISTRATOR

**SUBJECT:** Petition for a Determination that Stormwater Discharges from Commercial, Industrial and Institutional Sites Contribute to Water Quality Standards Violations and Require CWA Permits

Dear Mr. Spalding:

The four communities within the Long Creek Watershed understand that EPA must issue a final Record of Decision (ROD) within 90 days of receipt of the above referenced petition. The purpose of our letter is in support of the Maine Turnpike Authority and to explain why EPA should reject the petition, as proposed.

As you know, the Cities of South Portland, Portland, Westbrook and the Town of Scarborough were leaders in the establishment of a Residual Designation Authority (RDA) in 2009 by the development and implementation of the Long Creek Watershed Management District. The process included four communities and numerous stakeholders coming together and establishing a regional authority to address the water quality of Long Creek. This was a very complicated lengthy process that eventually worked for the watershed's stakeholders.

Based on our experience in Long Creek's 3.5-square-mile watershed, an attempt to apply the same RDA template over the proposed vast aggregate geographic area within New England would be very difficult. The effective stakeholder outreach and partnerships that were formed during, and facilitated the Long Creek process will be extremely challenging to replicate on a larger, more diverse scale throughout New England. In addition to the geographic area being too broad, the petition is far too sweeping in its subject matter, apparently targeting every watershed in Region One that is impaired. The proposal fails to consider the diverse nature of the each watershed that is included within the petition.

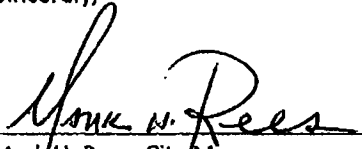
In developing a successful RDA many factors need to be considered to be successful in completing the task of mitigating the impaired watershed. The land area size, land use, community capacity and specific impacts to water quality all need to be taken into

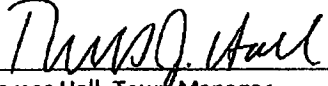
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consideration on a micro versus macro scale. Providing large sweeping RDA's that encompass numerous differences found within a large region is we feel, problematic and moving the process towards failure.

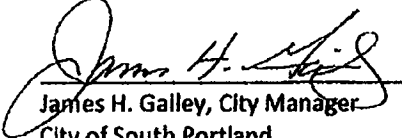
We respectfully request that EPA reject the July 10 petition based on our collective experiences with our own RDA application in the Long Creek watershed. The proposed petition's broad approach would not have the same success as the smaller, more focused effort in Maine. A one size fits all model, with the geographical areas involved, would result unintended consequences, weakening the ultimate goal of mitigating the impaired watersheds.

Sincerely,

  
Mark H. Rees, City Manager  
City of Portland

  
Thomas Hall, Town Manager  
Town of Scarborough

  
Jerre R. Bryant, City Administrator  
City of Westbrook

  
James H. Galley, City Manager  
City of South Portland